

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB64)

Received: **02/17/2005**

Received By: **jkuesel**

Wanted: **Soon**

Identical to LRB:

For: **Pedro Colon (608) 267-7669**

By/Representing: **Andy Janssen**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Colon@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

AA to AB-64

Instructions:

Require polling hours to be extended to Sunday and Monday prior to election day.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 02/19/2005	wjackson 02/20/2005		_____			
/1			pgreensl 02/21/2005	_____	mbarman 02/21/2005	mbarman 02/21/2005	

FE Sent For:

<END>

DNOTE

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1/1	jkuesel	2/19/1 WJ	2/20	2/21			
			P8	P8			

FE Sent For:

<END>

2005

Date (time)
needed

DN 0725
MON 2/21

LRBa 0209 / 1

AMENDMENT

JTK : WJ : WJ

See form AMENDMENTS — COMPONENTS & ITEMS.

~~S~~ A AMENDMENT

TO ~~S A~~ AMENDMENT _____ (LRBa _____ / _____),

TO ~~S A~~ SUBSTITUTE AMENDMENT _____ (LRBs _____ / _____),

TO 2005 ~~SB SJR SR~~ AB ~~AJR AR~~ 64 (LRB-~~_____~~ _____)

At the locations indicated, amend the 6:11 as follows:
(fill ONLY if “engrossed” or “as shown by”)

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0209/lins
JTK.....

✓ # Page 1, line 40 before that line insert 1

✓ 1b (4b)

SECTION ??. 5.02 (4) (b) of the statutes is created to read:

5.02 (4) (b) "Election day" means the day or days on which an election is authorized or required to be held.

8/c
SECTION ??. 5.02 (5) of the statutes is amended to read:

5.02 (5) "General election" means the election held in even-numbered years on the Tuesday after the first Monday in November and the 2 days preceding that day to elect United States senators, representatives in congress, presidential electors, state senators, representatives to the assembly, district attorneys, state officers other than the state superintendent and judicial officers, and county officers other than supervisors and county executives.

8/d
History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265.

SECTION ??. 5.02 (18) of the statutes is amended to read:

5.02 (18) "September primary" means the primary held the 2nd Tuesday in September and the 2 days preceding that day to nominate candidates to be voted for at the general election, and to determine which candidates for state offices other than district attorney may participate in the Wisconsin election campaign fund.

8/e
History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265.

SECTION ??. 5.02 (21) of the statutes is amended to read:

5.02 (21) "Spring election" means the election held on the first Tuesday in April and the 2 days preceding that day to elect judicial, educational and municipal officers, nonpartisan county officers and sewerage commissioners.

8/f
History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265.

SECTION ??. 5.02 (22) of the statutes is amended to read:

5.02 (22) "Spring primary" means the primary held on the 3rd Tuesday in February and the 2 days preceding that day to nominate nonpartisan candidates to be voted for at the spring election and to express preferences for the person to be the presidential candidate for each party in a year in which electors for president and vice president are to be elected.

History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265.

SECTION ??. 5.84 (1) of the statutes is amended to read:

19

5.84 (1) Where any municipality employs an electronic voting system which utilizes automatic tabulating equipment, either at the polling place or at a central counting location, the municipal clerk shall, on any day not more than 10 days prior to the election day on which the equipment is to be utilized, or if the election is held on more than one day not more than 10 days prior to the last day of the election at which the equipment is to be utilized have the equipment tested to ascertain that it will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given by the clerk at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in one or more newspapers published within the municipality if a newspaper is published therein, otherwise in a newspaper of general circulation therein. The test shall be open to the public. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each referendum. The test shall include for each office one or more ballots which have votes in excess of the number allowed by law and, for a partisan primary election, one or more ballots which have votes cast for candidates of more than one recognized political party, in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the municipal clerk shall ascertain the cause and correct the error. The clerk shall make

the last day that the election is held

an errorless count before the automatic tabulating equipment is approved by the clerk for use in the election.

History: 1979 c. 311; 2001 a. 16.

SECTION 22. 6.02 of the statutes is amended to read:

6.02 Qualifications, general. (1) Every U.S. citizen age 18 or older who has resided in an election district or ward for 10 days before any election where the citizen offers to vote is an eligible elector.

(2) Any U.S. citizen age 18 or older who moves within this state later than 10 days before an election shall vote at his or her previous ward or election district if the person is otherwise qualified. If the elector can comply with the 10-day residence requirement at the new address and is otherwise qualified, he or she may vote in the new ward or election district.

History: 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 5, 66 (3); 1977 c. 394; 1991 a. 316.

SECTION ??. 6.05 of the statutes is amended to read:

6.05 Election day age determines elector's rights. Any person who will be 18 years old on or before election day is entitled to vote if the person complies with this chapter.

History: 1971 c. 336 s. 37; 1981 c. 390 s. 252; 1991 a. 316.

SECTION ??. 6.10 (3) of the statutes is amended to read:

6.10 (3) When an elector moves from one ward to another or from one municipality to another within the state after the last registration day but at least 10 days before the election, the elector may vote in and be considered a resident of the new ward or municipality where residing upon transferring registration under s. 6.40 (1) or upon registering at the proper polling place or other registration location in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a) 2. If the elector moves

within 10 days of an election, ^{or within 10 days of the last day on which an} the elector shall vote in the elector's old ward or ^{is held} municipality if otherwise qualified to vote there. ^{Whenever an election is held on more than one day}

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 94, 199; 1977 c. 26; 1979 c. 260; 1983 a. 192, 484; 1985 a. 304; 1987 a. 391; 1991 a. 316; 1997 a. 39; 2001 a. 16, 51.

SECTION ??. 6.10 (4) of the statutes is amended to read:

6.10 (4) The residence of an unmarried person sleeping in one ward and boarding in another is the place where the person sleeps. The residence of an unmarried person in a transient vocation, a teacher or a student who boards at different places for part of the week, month or year, if one of the places is the residence of the person's parents, is the place of the parents' residence unless through registration or similar act the person elects to establish a residence elsewhere. If the person has no parents and if the person has not registered elsewhere, the person's residence shall be at the place which the person considered his or her residence in ^{or if an election is held on more than one day, for at least 10} preference to any other for at least 10 days before an election. ^{days before the last day that the election is held} If this place is within the municipality, the person is entitled to all the privileges and subject to all the duties of other citizens having their residence there, including voting.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 94, 199; 1977 c. 26; 1979 c. 260; 1983 a. 192, 484; 1985 a. 304; 1987 a. 391; 1991 a. 316; 1997 a. 39; 2001 a. 16, 51.

SECTION ??. 6.15 (1) of the statutes is amended to read:

6.15 (1) QUALIFICATIONS. Any person who was or who is a qualified elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than 10 days prior to the ^{last day on which} date of the presidential election, ^{is held} is entitled to vote for the president and vice president but for no other offices. The fact that the person was not registered to vote in the state from which he or she moved does not prevent voting in this state if the elector is otherwise qualified.

History: 1977 c. 394; 1979 c. 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1997 a. 250; 1999 a. 182; 2001 a. 16, 104; 2003 a. 265.

SECTION ??. 6.18 of the statutes is amended to read:

6.18 Former residents. If ineligible to qualify as an elector in the state to which the elector has moved, any former qualified Wisconsin elector may vote an

absentee ballot in the ward of the elector's prior residence in any presidential election occurring within 24 months after leaving Wisconsin by requesting an application form and returning it, properly executed, to the municipal clerk of the elector's prior Wisconsin residence. When requesting an application form for an absentee ballot, the applicant shall specify the applicant's eligibility for only the presidential ballot. The application form shall require the following information and be in substantially the following form:

This form shall be returned to the municipal clerk's office. Application must be received in sufficient time for ballots to be mailed and returned prior to any presidential election at which applicant wishes to vote. Complete all statements in full.

**APPLICATION FOR PRESIDENTIAL
ELECTOR'S ABSENTEE BALLOT.**

(To be voted at the Presidential Election
on November, (year)

I, hereby swear or affirm that I am a citizen of the United States, formerly residing at in the ward aldermanic district (city, town, village) of, County of for 10 days prior to leaving the State of Wisconsin. I, do solemnly swear or affirm that I do not qualify to register or vote under the laws of the State of(State you now reside in) where I am presently residing. A citizen must be a resident of: State(Insert time) County(Insert time) City, Town or Village(Insert time), in order to be eligible to register or vote therein. I further swear or affirm that my legal residence was established in the State of(the State where you now reside) on Month Day Year.

Signed

Address(Present address)

....(City)(State)

Subscribed and sworn to before me this day of (year)

....(Notary Public, or other officer authorized to administer oaths.)

....(County)

My Commission expires

MAIL BALLOT TO:

NAME

ADDRESS

CITY STATE ZIP CODE

Penalties for Violations. Whoever swears falsely to any absent elector affidavit under this section may be fined not more than \$1,000 or imprisoned for not more than 6 months or both. Whoever intentionally votes more than once in an election may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months or both.

....(Municipal Clerk)

....(Municipality)

History: 1971 c. 304 s. 29 (1), (2); 1975 c. 85 ss. 9, 66 (3); 1991 a. 316; 1997 a. 250; 2001 a. 107, 109; 2003 a. 321, 327.

SECTION 27. 6.25 (1) of the statutes is amended to read:

6.25 (1) Any individual who qualifies as a military elector under s. 6.22 (1) (b) or an overseas elector under s. 6.24 (1) and who transmits an application for an official absentee ballot for a general election no later than 30 days before election day
or if an election is held on more than one day, no later than 30 days before the last day that an election is held
may, in lieu of the official ballot, cast a federal write-in absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all of the candidates of any recognized political party for national office listed on the official ballot at the general

election if the federal write-in absentee ballot is received by the appropriate municipal clerk no later than the time prescribed in s. 6.87 (6).

History: 1987 a. 391; 1989 a. 192.

SECTION ??. 6.25 (2) of the statutes is amended to read:

6.25 (2) Any individual who qualifies as a military elector under s. 6.22 (1) (b) and who transmits an application for an official absentee ballot for any election no or if an election is held on more than one day, no later than 30 days before the last day that an election is held, later than 30 days before election day may, in lieu of the official ballot, cast a write-in absentee ballot for any candidate or for all of the candidates of any recognized political party listed on the official ballot at the election if the write-in absentee ballot is received by the appropriate municipal clerk no later than the time prescribed in s. 6.87 (6). The ballot shall contain the information required under s. 5.55 whenever applicable and on the face shall indicate the type and date of election and shall list the offices to be filled and the number of votes that each elector may cast for each office. The ballot shall include a number of spaces under each office equal to the number of votes permitted to be cast for that office for the elector to write in the names of candidates.

History: 1987 a. 391; 1989 a. 192.

SECTION ??. 6.25 (3) of the statutes is amended to read:

6.25 (3) Any individual who qualifies as an overseas elector under s. 6.24 (1) and who transmits an application for an official absentee ballot for any election no or if an election is held on more than one day, no later than 30 days before the last day that an election is held, later than 30 days before election day may, at any election for national office in lieu of the official ballot, cast a write-in absentee ballot for any candidate for national office or for all of the candidates of any recognized political party for national office listed on the official ballot at the election if the write-in absentee ballot is received by the appropriate municipal clerk no later than the time prescribed in s. 6.87 (6). The ballot shall contain the information required under s. 5.55 whenever applicable

and on the face shall indicate the type and date of election and shall list the offices to be filled. The ballot shall include a space under each office for the elector to write in the name of a candidate.

History: 1987 a. 391; 1989 a. 192.

SECTION ??. 6.33 (1) of the statutes is amended to read:

~~6.33 (1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name, date, residence location, citizenship, age, whether the applicant has resided within the ward or election district for at least 10 days, whether the applicant has lost his or her right to vote, and whether the applicant is currently registered to vote at any other location, and shall provide a space for the applicant's signature. The forms shall also include a space where the clerk may record an indication of whether the form is received by mail and a space for the identification serial number of any elector who is issued such a number under s. 6.47 (3). Each register of deeds shall obtain sufficient registration forms at the expense of the unit of government by which he or she is employed for completion by any elector who desires to register to vote.~~

NOTE: NOTE: Sub. (1) is amended eff. 1-1-06 by 2003 Wis. Act 265 to read:NOTE:

(1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the applicant has resided within the ward or election district for at least 10 days; whether the applicant has lost his or her right to vote; and whether the applicant is currently registered to vote at any other location. The forms shall also provide a space for the applicant's signature and the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The forms shall also include a space where the clerk may record an indication of whether the form is received by mail and a space where the clerk, for any applicant who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each register of deeds shall obtain sufficient registration forms at the expense of the unit of government by which he or she is employed for completion by any elector who desires to register to vote at the office of the register of deeds under s. 6.28 (3).

History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182; 2001 a. 51; 2003 a. 265.

SECTION ??. 6.40 (1) (a) 1. of the statutes is amended to read:

6.40 (1) (a) 1. Any registered elector shall transfer registration after a change of residence within the state by filing in person with the municipal clerk or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be his or her residence for 10 days prior to the election and providing

at least

if the election is held on more than one day for at least 10 days prior to the last day that the election is held

the address where he or she was last registered. Alternatively, the elector may transfer his or her registration at the proper polling place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting in the ward or election district where the elector formerly resided, the change shall be effective for the next election.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85, 199, 200; 1977 c. 394 ss. 23, 24, 53; 1983 a. 484; 1985 a. 304; 1999 a. 49; 2003 a. 265.

SECTION 6.55 (2) (a) 1. of the statutes is amended to read:

6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed, any person who qualifies as an elector in the ward or election district where he or she desires to vote, but has not previously filed a registration form, or was registered at another location, may request permission to vote at the polling place for that ward or election district, or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made, the inspector shall require the person to execute a registration form prescribed by the board. The registration form shall be completed in the manner provided under s. 6.33 (2) and shall contain all information required under s. 6.33 (1), together with the following certification:

"I, ..., hereby certify that to the best of my knowledge, I am a qualified elector, ~~or if this election is held on more than one day for at least~~ having resided at for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted, at this election."

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265.

SECTION 6.55 (3) of the statutes is amended to read:

6.55 (3) Any qualified elector in the ward or election district where the elector desires to vote whose name does not appear on the registration list but who claims to be registered to vote in the election may request permission to vote at the polling place for that ward or election district. When the request is made, the inspector shall

require the person to give his or her name and address. If the elector is not at the polling place which serves the ward or election district where the elector resides, the inspector shall provide the elector with directions to the correct polling place. If the elector is at the correct polling place, the elector shall then execute the following written statement: "I, ..., hereby certify that to the best of my knowledge, I am a qualified elector, having resided at ... for at least 10 days immediately preceding this election, ^{or if this election is held on more than one day, for at least 10 days immediately preceding the last day that this election is held} and that I am not disqualified on any ground from voting, and I have not voted at this election and am properly registered to vote in this election." The person shall be required to provide acceptable proof of residence as provided under sub. (7) and shall then be given the right to vote. If the elector cannot provide acceptable proof of residence, the statement shall be certified by the elector and shall be corroborated in a statement that is signed by any other elector who resides in the municipality and that contains the current street address of the corroborating elector. The corroborator shall then provide acceptable proof of residence as provided in sub. (7). Whenever the question of identity or residence cannot be satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall telephone the office of the municipal clerk to reconcile the records at the polling place with those at the office.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265.

SECTION ??. 6.76 (1) of the statutes is amended to read:

6.76 (1) Any person entitled to vote at an election is entitled to be absent from work while the polls are open for a period not to exceed 3 successive hours to vote. The elector shall notify the affected employer before election day of the intended absence. The employer may designate the time of day for the absence.

History: 1977 c. 394; 1991 a. 316.

SECTION ??. 6.78 (intro.) of the statutes is amended to read:

Page 2, line 10 delete 8 poms and substitute 8 poms on each of the days that an election is held.

Page 2, line 40 after that line insert

6.78 Poll hours. (intro.) The polls at any election shall be open:

History: 1985 a. 304; 1991 a. 316.

SECTION ??. 6.85 of the statutes is amended to read:

6.85 Absent elector; definition. An absent elector is any otherwise qualified elector who for any reason is unable or unwilling to appear at the polling place in his or her ward. Any otherwise qualified elector who changes residence within this state by moving to a different ward or municipality later than 10 days prior to an election may vote an absentee ballot in the ward or municipality where he or she was qualified to vote before moving. An elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394; 1979 c. 232; 1983 a. 484; 1999 a. 182.

SECTION ??. 6.86 (1) (b) of the statutes is amended to read:

6.86 (1) (b) Except as provided in this section, if application is made in writing, the application, signed by the elector, shall be received no later than 5 p.m. on the Friday immediately preceding the election. If application is made in person, the application shall be made no later than 5 p.m. on the day preceding the election. If the elector is making written application and the application indicates that the reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on election day. If the application is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess court, as soon as convenient, and give the elector the ballot. The judge shall then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who shall deliver it to the polling place as required

on each of the days that an election is held

or if an election is held on more than one day, later than 10 days prior to the last day that an election is held

or if the election is held on more than one day, no later than 5 p.m. on the last day that the election is held

or if the election is held on more than one day, no later than 5 p.m. on election day

on the last day that the election is held

in s. 6.88. If application is made under sub. (2), the application may be received no later than 5 p.m. on the Friday immediately preceding the election.

① H
History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

SECTION ??. 6.86 (3) (c) of the statutes is amended to read:

6.86 (3) (c) An application under par. (a) 1. may be made and a registration form under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. *2 or if the election is held on more than one day on the last day of the election is held*

A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If identification is required, the municipal clerk shall so inform the agent and the elector shall enclose identification in the envelope with the ballot. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery at the polling place serving the hospitalized elector's residence before the closing hour for the ballot to be counted.

① H
History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

SECTION ??. 6.87 (2) of the statutes is amended to read:

6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate in substantially the following form:

[STATE OF]

County of]

or

[(name of foreign country and city or other jurisdictional unit)]

I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, that I am a resident of the [.... ward of the] (town) (village) of, or of the aldermanic district in the city of, residing at* in said city, the county of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on; that I am not voting at any other location in this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another within 10 days before the election. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Signed

Identification serial number, if any:

The witness shall execute the following:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

....(Name)

....(Address)**

* — An elector who provides an identification serial number issued under s. 6.47 (3), Wis. Stats., need not provide a street address.

** — If this form is executed before 2 special voting deputies under s. 6.875 (6), Wis. Stats., both deputies shall witness and sign.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.

SECTION ??. 6.87 (6) of the statutes is amended to read:

on election day or if an election is held on more than one day on the last day that the election is held
6.87 (6) The ballot shall be returned so it is received by the municipal clerk in time for delivery to the polls before the closing hour. Any ballot not mailed or delivered as provided in this subsection may not be counted.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.

SECTION ??. 6.875 (6) of the statutes is amended to read:

or if the election is held on more than one day on the Monday preceding the last day that an election is held
6.875 (6) Special voting deputies in each municipality shall, not later than 5 p.m. on the Friday preceding an election, arrange one or more convenient times with the administrator of each nursing home, qualified retirement home, and qualified community-based residential facility in the municipality from which one or more occupants have filed an application under s. 6.86 to conduct absentee voting for the election. The time may be no earlier than the 4th Monday preceding the election and no later than 5 p.m. on the Monday preceding the election. Upon request of a relative of an occupant of a nursing home or qualified retirement home or qualified community-based residential facility, the administrator may notify the relative of the time or times at which special voting deputies will conduct absentee voting at the home or facility, and permit the relative to be present in the room where the voting is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit the home or facility. The municipal clerk or executive director of the board of election commissioners shall issue a supply of absentee ballots to the deputies sufficient to

provide for the number of valid applications received by the clerk, and a reasonable additional number of ballots. The municipal clerk or executive director shall keep a careful record of all ballots issued to the deputies and shall require the deputies to return every ballot issued to them. The deputies shall personally offer each elector who has filed a proper application the opportunity to cast his or her absentee ballot. If an elector is present who has not filed a proper application, the 2 deputies may accept an application from the elector and shall issue a ballot to the elector if the elector is qualified and the application is proper. The deputies shall each witness the certification and may, upon request of the elector, assist the elector in marking the elector's ballot. Upon request of the elector, a relative of the elector who is present in the room may assist the elector in marking the elector's ballot. All voting shall be conducted in the presence of the deputies. No individual other than a deputy may witness the certification and no individual other than a deputy or relative of an elector may render voting assistance to the elector. Upon completion of the voting, the deputies shall promptly deliver, either personally or by 1st class mail, any absentee ballot applications and the sealed certificate envelope containing each ballot to the clerk or board of election commissioners of the municipality in which the elector casting the ballot resides, within such time as will permit delivery to the polling place serving the elector's residence on election day. Personal delivery may be made by the deputies or if the election is held on more than one day no later than noon on the last day that the election is held. If a qualified elector is not able to cast his or her ballot on 2 separate visits by the deputies to the home or facility, they shall so inform the municipal clerk or executive director of the board of election commissioners, who may then send the ballot to the elector no later than 5 p.m. on the Friday preceding the election.

② 4A
SECTION ?? 6.94 of the statutes is amended to read:

6.94 Challenged elector oath. If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear

(or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for 10 days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

SCOTIA
prior to this election or if this election is held on more than one day
at least
for at least 10 days prior to the last day on which this election is held
have been a resident of this ward

INS 16A
History: 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 45, 66 (3); 1977 c. 394 s. 54; 1983 a. 484; 2003 a. 265.

② 4A
SECTION ?? 7.08 (9) of the statutes is created to read:

7.08 (9) SECURING BALLOTS AND OTHER MATERIALS. Prescribe secure procedures for ensuring that ballots and other materials are not tampered with during the nights between the days on which any election is held, and instruct municipal clerks and election officials in carrying out those procedures.

② 4A
SECTION ?? 7.10 (3) (a) of the statutes is amended to read:

The other Primary or
7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks no later than 31 days before each September primary and general election and no later than 22 days before each other primary and election. Election forms prepared by the board shall be distributed at the same time. If the board transmits an amended certification under s. 7.08 (2) (a) or if the board or a court orders a ballot error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed, the county clerk shall distribute corrected ballots to the municipal clerks as soon as possible.

is held or if an election is held on more than one day at least 22 days before the last day that the primary or election is held
History: 1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 57; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 221, 260, 311, 355; 1981 c. 377; 1983 a. 484; 1985 a. 89, 304; 1991 a. 316; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107; 2003 a. 265.

SECTION ??. 7.15 (1) (cm) of the statutes is amended to read:

7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting them, and send an official absentee ballot to each elector who has requested one no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary and election if the request is made before that day; otherwise, the municipal clerk shall send an official absentee ballot within one day of the time the elector's request is received.

the last day that is held or if the other primary or election is held on more than one day no later than the 21st day before the primary or election is held
History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 394 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 182; 2001 a. 16; 2003 a. 265.

SECTION ??. 7.25 (2) of the statutes is amended to read:

7.25 (2) Under the direction of the municipal clerk, the custodian shall label or insert, set, adjust, put in order and deliver the machines with all necessary furniture and appliances to the rooms where the election will be held for each ward at least one hour before the time set for opening the polls on election day.

or if an election is held on more than one day at least one hour before the time set for opening the polls on the first day that the election is held
History: 1971 c. 304 s. 29 (2); 1977 c. 427; 1979 c. 311; 1985 a. 304; 2001 a. 107.

SECTION ??. 7.33 (3) of the statutes is amended to read:

7.33 (3) Every employer shall grant to each employee who is appointed to serve as an election official a leave of absence for the entire 24-hour period of each election

or if an election is held on more than one day for the entire
day in which the official serves in his or her official capacity. An employee who serves *72-hour period*
as an election official shall provide his or her employer with at least 7 days' notice *of the days*
of application for a leave. The municipal clerk shall verify appointments upon *on which the election is held*
request of any employer.

4m P
History: 1977 c. 398; 1979 c. 260 s. 44; Stats. 1979 s. 7.33; 1987 a. 111; 1987 a. 391 ss. 37m, 41g, 41r; 1989 a. 56 s. 259; 1995 a. 27; 2001 a. 16, 104, 109; 2003 a. 33.

7.37
SECTION ??. 7.37 (13) of the statutes is created to read:

7.37 (13) SECURE BALLOTS AND OTHER MATERIALS. Whenever an election is held on more than one day, before leaving the polling place on any night other than the night of the final day that the election is held, the inspectors shall secure all ballots and other materials in accordance with instructions received from the municipal clerk.

4a q
SECTION ??. 7.51 (1) of the statutes is amended to read:

on election days or if an election is held on more than one day
7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors shall proceed to canvass publicly all votes received at the polling place. In any municipality where an electronic voting system is used, the municipal governing body or board of election commissioners may provide or authorize the municipal clerk or executive director of the board of election commissioners to provide for the adjournment of the canvass to one or more central counting locations for specified polling places in the manner prescribed in subch. III of ch. 5. No central counting location may be used to count votes at a polling place where an electronic voting system is not employed. The canvass, whether conducted at the polling place or at a central counting location, shall continue without adjournment until the canvass is completed and the return statements are made. The inspectors shall not permit access to the name of any elector who has obtained a confidential listing under s. 6.47 *on the last day that the election is held*
(2) during the canvass, except as authorized in s. 6.47 (8).

③ 4~~th~~ r

SECTION ?? 7.51 (5) (b) of the statutes is amended to read:

7.51 (5) (b) The municipal clerk shall arrange for delivery of all ballots, statements, tally sheets, lists, and envelopes relating to a school district election to the school district clerk. The municipal clerk shall deliver the ballots, statements, tally sheets, lists, and envelopes for his or her municipality relating to any county, technical college district, state, or national election to the county clerk by 2 p.m. on or if the election is held on more than one day, by 2 p.m. on the the day following each such election. The person delivering the returns shall be paid day out of the municipal treasury. Each clerk shall retain ballots, statements, tally after sheets, or envelopes received by the clerk until destruction is authorized under s. the 7.23 (1). last day that the election is held

History: 1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3); 1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182; 2001 a. 107, 109; 2003 a. 265.

SECTION ?? 7.53 (2) (d) of the statutes is amended to read:

7.53 (2) (d) The municipal board of canvassers shall publicly canvass the returns of every municipal election. The canvass shall begin within 24 hours after the polls close. or if the election is held on more than one day, within At the spring election, the board of canvassers shall publicly declare 24 the results on or before the 2nd Tuesday in April. The board of canvassers shall hours prepare a statement showing the results of each election for any municipal office and after each municipal referendum. After each primary for municipal offices, the board of the canvassers shall prepare a statement certifying the names of those persons who have polls won nomination to office. After each other election for a municipal office and each close municipal referendum, the board of canvassers shall prepare a determination on the showing the names of the persons who are elected to each municipal office and the last results of each municipal referendum. The board of canvassers shall file each day that the election is held

statement and determination in the office of the municipal clerk or board of election commissioners.

^{⑧ 4/10/11}
History: 1971 c. 304 s. 29 (2); 1977 c. 290, 427, 447; 1979 c. 260; 1981 c. 314; 1983 a. 183, 484; 1985 a. 225; 1985 a. 304 ss. 93, 155; 1987 a. 391; 1989 a. 192; 1995 a. 16 s. 2; 1999 a. 182.

SECTION ??. 7.60 (3) of the statutes is amended to read:

^{⑧ 4/10/11}
7.60 (3) CANVASSING. Not later than 9 a.m. on the Thursday after each election, ^{or if an election is held on more than one day, not later than 9 a.m. on the Thursday after the last day that the election is held,} the county board of canvassers shall open and publicly examine the returns. If returns have not been received from any election district or ward in the county, they shall dispatch a messenger and the person having them shall deliver the returns to the messenger. If, on examination, any of the returns received are so informal or defective that the board cannot intelligently canvass them, they shall dispatch a messenger to deliver the returns back to the municipal board of canvassers with written specifications of the informalities or defects and command them to immediately complete the returns or remedy the defects in the manner required and deliver them to the messenger. Every messenger shall safely keep all returns, show them to no one but the municipal clerk and board of canvassers and deliver them to the county clerk with all possible dispatch. To acquire the necessary full returns and remedy any informalities or defects the county board of canvassers may adjourn not longer than one day at a time nor more than 2 days in all.

^{⑧ 4/10/11}
History: 1971 c. 304 s. 29 (2); 1973 c. 334 ss. 14, 57; 1975 c. 93, 199; 1977 c. 187, 427, 449; 1979 c. 221, 260, 355; 1981 c. 4; 1983 a. 442, 484, 538; 1985 a. 89, 304, 332; 1987 a. 391; 1989 a. 31; 1991 a. 316; 1993 a. 399; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107, 109.

SECTION ??. 7.60 (5) (a) of the statutes is amended to read:

7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver or send to the elections board, by 1st class mail, a certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, state legislators, justice, court of appeals judge, circuit judge, district attorney, and metropolitan sewerage commissioners, if

the commissioners are elected under s. 200.09 (11) (am). The statement shall record the returns for each office or referendum by ward, unless combined returns are authorized under s. 5.15 (6) (b) in which case the statement shall record the returns for each group of combined wards. Following primaries the county clerk shall enclose on forms prescribed by the elections board the names, party or principle designation, if any, and number of votes received by each candidate recorded in the same manner.

The county clerk shall deliver or transmit the certified statement to the elections

board no later than 7 days after each primary and no later than 10 days after any other election. The board of canvassers shall deliver or transmit a certified copy of

each statement for any technical college district referendum to the secretary of the technical college district board.

History: 1971 c. 304 s. 29 (2); 1973 c. 354 ss. 14, 57; 1975 c. 93, 199; 1977 c. 187, 427, 449; 1979 c. 221, 260, 355; 1981 c. 4; 1983 a. 442, 484, 538; 1985 a. 89, 304, 332; 1987 a. 391; 1989 a. 31; 1991 a. 316; 1993 a. 399; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107, 109.

SECTION ??. 7.70 (1) (b) of the statutes is amended to read:

7.70 (1) (b) If any county clerk fails or neglects to forward any statements, the

elections board may require the clerk to do so immediately and if not received by the 8th day after a primary, or by the 11th day after any other election, the elections

board may dispatch a special messenger to obtain them. Whenever it appears upon

the face of any statement that an error has been made in reporting or computing, the

elections board may return it to the county clerk for correction.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 ss. 15, 57; 1975 c. 93, 199; 1977 c. 107, 187, 427, 449; 1979 c. 221, 260, 328; 1983 a. 484; 1985 a. 89, 304; 1987 a. 391; 1989 a. 31, 192; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 150 s. 672; 1999 a. 182.

SECTION ??. 7.70 (3) (a) of the statutes is amended to read:

7.70 (3) (a) The chairperson of the board or a designee of the chairperson appointed by the chairperson to canvass a specific election shall publicly canvass the returns and make his or her certifications and determinations on or before the 2nd Tuesday following a spring primary, the 15th day of May following a spring election,

the 4th Tuesday in September following a September primary, the first day of December following a general election, the 2nd Thursday following a special primary, or within 18 days after any special election.

^{③ 4 W}
History: 1971 c. 304 s. 29 (2); 1973 c. 334 ss. 15, 57; 1975 c. 93, 199; 1977 c. 107, 187, 427, 449; 1979 c. 221, 260, 328; 1983 a. 484; 1985 a. 89, 304; 1987 a. 391; 1989 a. 31, 192; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 150 s. 672; 1999 a. 182.

~~SECTION ??~~ 9.20 (7) of the statutes is amended to read:

9.20 (7) If a majority vote in favor of adoption, the proposed ordinance or resolution shall take effect upon publication under sub. (5). Publication shall be ~~made within 10 days after the election.~~ ^{or if the election is held on more than one day within 10 days after the last day that the election is held}

^{③ 4 W}
History: 1977 c. 102; 1983 a. 484; 1989 a. 192, 273.

~~SECTION ??~~ 10.01 (2) (b) of the statutes is amended to read:

10.01 (2) (b) Type B—The type B notice shall include the relevant facsimile ballots and the relevant portions of voting instructions to electors under s. 10.02 for each office or referendum and shall specify the date of the election. In counties or municipalities where an electronic voting system in which ballots are distributed to electors is used, the notice shall include the information specified in s. 5.94. The type B notice shall be published once by the county clerks, and for primaries and other elections in municipalities or special purpose districts, once by the clerk of the municipality or special purpose district on the day preceding each primary and other election. ^{or if an election is held on more than one day on the day preceding the first day that the primary or other election is held}

^{③ 4 W}
History: 1973 c. 334 s. 57; 1975 c. 27; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31; 2001 a. 16.

~~SECTION ??~~ 10.01 (2) (d) of the statutes is amended to read:

10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be open and the polling places to be utilized at the election or shall include a concise statement of how polling place information may be obtained. In cities over 500,000 population, the board of election commissioners shall determine the form of the notice. In other municipalities and special purpose districts, the clerk of the

municipality or special purpose district shall give the polling place information in the manner the governing body of the municipality or special purpose district decides will most effectively inform the electors. The type D notice shall be published by the municipal clerk or board of election commissioners of each municipality once on the day before ^{the first day of} each spring primary and election, ^{on the day before} each special national, state, county or municipal election at which the electors of that municipality are entitled to vote and ^{on the day before the first day of} each September primary and general election. The clerk of each special purpose district which calls a special election shall publish a type D notice on the day before the election, and the day before the special primary, if any, except as authorized in s. 8.55 (3).

③ 4/17/20

History: 1973 c. 334 s. 57; 1975 c. 275; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31; 2001 a. 16.

SECTION ??. 10.06 (2) (d) of the statutes is amended to read:

10.06 (2) (d) On the ^{Saturday} ~~Monday~~ preceding the ^{first day of the} spring primary, when held, the county clerk shall publish a type B notice. In a year in which a presidential preference primary is held, the county clerk shall also publish notice of the presidential preference primary.

③ 4/17/20

History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

SECTION ??. 10.06 (2) (g) of the statutes is amended to read:

10.06 (2) (g) On the ^{Saturday} ~~Monday~~ preceding the ^{first day of the} spring election, the county clerk shall publish a type B notice containing the same information prescribed in par. (a). In addition, the county clerk shall publish a type C notice on the ^{Saturday} ~~Monday~~ preceding the ^{first day of the} spring election for all state and county referenda to be voted upon by electors of the county.

③ 4/17/20

History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

SECTION ??. 10.06 (2) (j) of the statutes is amended to read:

10.06 (2) (j) On the ~~Monday~~ ^{Saturday} preceding the ~~September~~ ^{First day of the} primary the county clerk shall publish a type B notice.

^{③ 1/4/28 ZC}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

~~SECTION ??~~ 10.06 (2) (m) of the statutes is amended to read:

10.06 (2) (m) On the ~~Monday~~ ^{Saturday} preceding the ~~general election~~ ^{First day of the} the county clerk shall publish a type B notice containing the same information prescribed in par. (h). In addition, the county clerk shall publish a type C notice on the ~~Monday~~ ^{Saturday} preceding the ~~general election~~ ^{First day of the} for all state and county referenda to be voted upon by electors of the county.

^{③ 4/26 ZD}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

~~SECTION ??~~ 10.06 (3) (b) of the statutes is amended to read:

10.06 (3) (b) If there is to be a municipal primary, the municipal clerk shall publish a type B notice on the ~~Monday~~ ^{Saturday} before the ~~primary election~~ ^{First day of the}. In cities and villages, the municipal clerk shall publish a type C notice on the ~~Monday~~ ^{Saturday} before the ~~primary election of any direct legislation questions to be voted on at the primary.~~ ^{First day of the}

^{③ 4/28 ZE}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

~~SECTION ??~~ 10.06 (3) (c) of the statutes is amended to read:

10.06 (3) (c) On the ~~Monday~~ ^{Saturday} before the ~~spring election~~ ^{First day of the}, the municipal clerk shall publish a type B notice and a type D notice. If there are municipal referenda, the municipal clerk shall publish a type C notice at the same time.

^{③ 1/4/28 ZF}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

~~SECTION ??~~ 10.06 (3) (d) of the statutes is amended to read:

10.06 (3) (d) On the ~~Monday~~ ^{Saturday} preceding the ~~general election~~ ^{First day of the}, the municipal clerk shall publish a type D notice. If there are municipal referenda, the municipal clerk shall publish type B and C notices at the same time.

^{③ 1/4/28 ZG}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

~~SECTION ??~~ 10.06 (3) (e) of the statutes is amended to read:

10.06 (3) (e) When electronic or mechanical voting machines or electronic voting systems in which ballots are distributed to electors are used in a municipality at a municipal election, the municipal clerk shall publish a type B notice on the ~~Monday~~ ^{day} before the election. ^{or if the election is held on more than one day on the day before the election} The notice shall include all offices and questions to be voted on at the election. The cost of this notice shall be shared under s. 5.68 (2) and

(3).

^{③ 4 x zh}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

SECTION ??. 10.06 (4) (g) of the statutes is amended to read:

^{or if the primary or election is held on more than one day on the day preceding the first day of the primary or election}
10.06 (4) (g) On the day preceding any primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction in which the primary or election is held shall publish a type B notice.

^{③ 4 x zh}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

SECTION ??. 10.06 (4) (h) of the statutes is amended to read:

^{or if the primary or election is held on more than one day on the day preceding the first day of the primary or election}
10.06 (4) (h) On the day preceding any special primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the election shall publish a type D notice.

^{③ 4 x zh}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

SECTION ??. 10.06 (4) (i) of the statutes is amended to read:

^{or if the referendum is held on more than one day on the day preceding the first day of the referendum which the referendum is held}
10.06 (4) (i) On the day preceding any referendum other than a state, county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish type B, C and D notices.

^{③ 4 x zh}
History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24.

SECTION ??. 11.12 (5) of the statutes is amended to read:

11.12 (5) If any contribution or contributions of \$500 or more cumulatively are received by a candidate for state office or by a committee or individual from a single contributor later than 15 days prior to a primary or election such that it is not

^{15 days}
^{or if a primary or election is held on more than one day later than}
15 days prior to the last day that the primary or election is held

included in the preprimary or preelection report submitted under s. 11.20 (3), the treasurer of the committee or the individual receiving the contribution shall within 24 hours of receipt inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the treasurer's or individual's next regular report. For purposes of the reporting requirement under this subsection, only contributions received during the period beginning with the day after the last date covered on the preprimary or preelection report, and ending with the day before the primary or election need be reported.

NOTE: NOTE: Sub. (5) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in *Wisconsin Realtors Assoc. v. Ponto*, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

(5) If any contribution or contributions of \$500 or more cumulatively are received by a candidate for state office or by a committee or individual from a single contributor later than 15 days prior to a primary or election such that it is not included in the preprimary or preelection report submitted under s. 11.20 (3), the treasurer of the committee or the individual receiving the contribution shall within 24 hours of receipt inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the treasurer's or individual's next regular report. For purposes of the reporting requirement under this subsection, only contributions received during the period beginning with the day after the last date covered on the preprimary or preelection report, and ending with the day before the primary or election need be reported. This subsection does not apply to a registrant who or which is required to file daily reports under s. 11.21 (16).

History: 1973 c. 334; 1975 c. 93 ss. 59, 60, 119 (2); 1975 c. 199; 1979 c. 328 ss. 53, 69 to 71, 146; 1985 a. 303; 1987 a. 370; 2001 a. 109.

SECTION ?? 11.12 (6) of the statutes is amended to read:

11.12 (6) If any disbursement of more than \$20 cumulatively is made to advocate the election or defeat of a clearly identified candidate by an individual or committee later than 15 days prior to a primary or election in which the candidate's name appears on the ballot without cooperation or consultation with a candidate or agent or authorized committee of a candidate who is supported or opposed, and not in concert with or at the request or suggestion of such a candidate, agent or committee, the individual or treasurer of the committee shall, within 24 hours of making the disbursement, inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the next regular report of the individual or committee under s. 11.20. For purposes of this subsection, disbursements cumulate

^ or if a primary or election is held on more than one day later than 15 days prior to the last day that the primary or election is held.

beginning with the day after the last date covered on the preprimary or preelection report and ending with the day before the primary or election. Upon receipt of a report under this subsection, the filing officer shall, within 24 hours of receipt, mail a copy of the report to all candidates for any office in support of or opposition to one of whom a disbursement identified in the report is made.

NOTE: NOTE: Sub. (6) is renumbered (6)(a) and amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in *Wisconsin Realtors Assoc. v. Ponto*, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

(6) (a) Except as otherwise provided in this paragraph, if any individual or committee incurs one or more obligations or makes one or more disbursements in an amount exceeding \$250 cumulatively to advocate the election or defeat of a clearly identified candidate later than 15 days prior to a primary or election in which the candidate's name appears on the ballot without cooperation or consultation with a candidate or agent or authorized committee of a candidate who is supported or opposed, and not in concert with or at the request or suggestion of such a candidate, agent or committee, the individual or treasurer of the committee shall, within 24 hours after incurring the obligation or making the disbursement, inform the appropriate filing officer. The report shall include the information required under s. 11.06 (1) and shall be made in such manner as the board may prescribe. For purposes of this paragraph, obligations and disbursements cumulate beginning with the day after the last date covered on the preprimary or preelection report and ending with the day before the primary or election and disbursements made for the purpose of payment of obligations that were previously reported are not included in determining the cumulative amount of obligations and disbursements. Upon receipt of a report identifying any obligation or disbursement under this paragraph, the filing officer shall, within 24 hours of receipt, mail a copy of the report to all candidates for any office in support of or opposition to one of whom an obligation is incurred or a disbursement is made. This paragraph does not apply to disbursements or obligations required to be reported under par. (am) or to an individual or committee that is required to file daily reports under s. 11.21 (16).

(am) If any committee identified under s. 11.05 (3) (c) as a special interest committee, other than a conduit, incurs one or more obligations or makes one or more disbursements in an amount exceeding \$250 cumulatively for the purpose of making a communication advocating the election or defeat of a clearly identified candidate for a state office specified in s. 11.31 (1) (a) to (de), (e), or (f) at a general, special, or spring election, or any such candidate who seeks a nomination for such an office at a primary election, or for the purpose of making a communication described in s. 11.01 (16) (a) 3., during the period beginning on the 60th day preceding the applicable general, special, or spring election and ending on the date of that election, without cooperation or consultation with a candidate or agent or authorized committee of a candidate who is supported or whose opponent is opposed, and not in concert with or at the request or suggestion of such a candidate, agent, or committee, the committee shall, within 24 hours after incurring the obligation or making the disbursement, file a report with the board, with each candidate whose name is certified to appear on the ballot for the office in connection with which the obligation

is incurred or disbursement is made, and the political party under whose name each such candidate appears on the ballot, if any, on a form prescribed by the board for this purpose. The form shall provide a place for reporting obligations separately from disbursements. The report shall be filed by electronic mail or facsimile transmission. The report shall include the information required under s. 11.06 (1) and shall be made in such manner as the board may prescribe. For purposes of this paragraph, obligations and disbursements cumulate beginning with the 60th day preceding the applicable general, special, or spring election and ending with the day before that election and disbursements made for the purpose of payment of obligations that were previously reported are not included in determining the cumulative amount of disbursements. Within 24 hours after receiving a report under this paragraph, the board shall notify each candidate whose name is certified to appear on the ballot for the office in connection with which the reported disbursement is made. The board shall provide this notification by electronic mail, facsimile transmission, telephone, or posting on the Internet.

NOTE: NOTE: Par. (am) was created eff. 7-1-03 by 2001 Wis. Act 109. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in *Wisconsin Realtors Assoc. v. Ponto*, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

(c) No committee identified under s. 11.05 (3) (c) as a special interest committee, other than a conduit, may make any disbursement or incur any obligation to which this paragraph applies unless the committee has filed a report under this paragraph concerning that disbursement or obligation. This paragraph applies only to disbursements made or obligations incurred for the purpose of making a communication during the period beginning on the 30th day preceding a general, special, or spring election and ending on the date of that election advocating the election or defeat of a clearly identified candidate for a state office specified in s. 11.31

(1) (a) to (de), (e), or (f) at that election, or any such candidate who seeks a nomination for such an office at a primary election, or for the purpose of making a communication described in s. 11.01 (16) (a) 3., without cooperation or consultation with a candidate or agent or authorized committee of a candidate who is supported or whose opponent is opposed, and not in concert with or at the request or suggestion of such a candidate, agent, or committee. Each report required under this paragraph shall be filed with the board, with each candidate whose name is certified to appear on the ballot for the office in connection with which the communication is to be made, and the political party under whose name each such candidate appears on the ballot, if any, on a form prescribed by the board for this purpose. The report shall be filed by electronic mail or facsimile transmission no later than the 31st day preceding the general, special, or spring election to which the report relates. Each report shall indicate the name of each candidate who will be supported or whose opponent will be opposed and the total disbursements to be made and obligations incurred for such a purpose with regard to that candidate during the period covered by the report. Within 24 hours after receiving a report, the board shall notify each candidate whose name is certified to appear on the ballot for the office in connection with which the communication is to be made of the report. The board shall provide this notification by electronic mail, facsimile transmission, telephone, or posting on the Internet.

NOTE: NOTE: Par. (c) was created eff. 7-1-03 by 2001 Wis. Act 109. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in *Wisconsin Realtors Assoc. v. Ponto*, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

(d) All information reported by a registrant under this subsection shall also be included in the next regular report of the registrant under s. 11.20.

NOTE: NOTE: Par. (d) was created eff. 7-1-03 by 2001 Wis. Act 109. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in *Wisconsin Realtors Assoc. v. Ponto*, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

History: 1973 c. 334; 1975 c. 93 ss. 59, 60, 119 (2); 1975 c. 199; 1979 c. 328 ss. 53, 69 to 71, 146; 1985 a. 303; 1987 a. 370; 2001 a. 109.

SECTION ??. 11.20 (2) of the statutes is amended to read:

(B) 4/10/04 ZM

11.20 (2) Preprimary and preelection reports under s. 11.06 (1) shall be

received by the appropriate filing officer no earlier than 14 days and no later than 8 days preceding the primary and the election.

NOTE: NOTE: Sub. (2) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

(2) In addition to any reports required under s. 11.12 (8), each candidate who seeks office at a primary or other election, or his or her personal campaign committee, shall file a preprimary and preelection report under s. 11.06 (1), which shall be received by the appropriate filing officer no earlier than 14 days and no later than 8 days preceding the primary and the election. Each candidate who is required to file reports under s. 11.12 (8), or his or her personal campaign committee, shall file each weekly report so that the report is received by the appropriate filing officer no earlier than the day after the end of the week to which the report pertains and no later than the day after the end of that week, and shall file each daily report so that the report is received no later than the end of the day following the day to which the report pertains.

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321.

SECTION ?? 11.20 (8) (a) of the statutes is amended to read:

11.20 (8) (a) The 15th day preceding the primary or election in the case of the preprimary and preelection report.

NOTE: NOTE: Par. (a) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void. NOTE:

(a) The 15th day preceding the primary or election in the case of the preprimary and preelection report under sub. (2).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321.


SECTION ?? 11.23 (6) of the statutes is amended to read:


11.23 (6) If any contribution or contributions of \$500 or more cumulatively are received by a group or individual supporting or opposing the adoption of a

referendum question from a single contributor later than 15 days prior to an election such that it is not included in the preprimary or preelection report submitted under

s. 11.20 (3), the treasurer of the group or the individual receiving the contribution shall within 24 hours of receipt inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe.

The information shall also be included in the treasurer's or individual's next regular report. For purposes of the reporting requirement under this subsection, only contributions received during the period beginning with the day after the last date

covered on the preelection report, and ending with the day before the election need
be reported. 

 **History:** 1973 c. 334; 1975 c. 93 ss. 87, 119 (1), (2); 1975 c. 199; 1979 c. 328 ss. 103, 146; 1985 a. 303 ss. 43, 86; 1985 a. 332 s. 253; 1987 a. 370; 2001 a. 109.

(END)

⑤ 461

725 16 A

Section #. 6.97 (3) of the statutes is amended to read:

6.97 (3) Whenever the municipal clerk or executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk or executive director shall promptly provide written notice to the board of canvassers of each municipality, special purpose district, and county that is responsible for canvassing the election of the number of ballots cast under this section in each ward or election district. The municipal clerk or executive director then shall determine whether each individual voting under this section is qualified to vote in the ward or election district where the individual's ballot is cast. The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot. If, prior to 4 p.m. on the day after the election, the municipal clerk or executive director determines that the individual is qualified to vote in the ward or election district where the individual's ballot is cast, the municipal clerk or executive director shall notify the board of canvassers for each municipality, special purpose district and county that is responsible for canvassing the election of that fact.

History: 2003 a 265.

→ nor if the election is held on
more than one day, prior to 4:00 PM
on the day after the last day
that the election is held

FW 531A

LRB-1261/1
JTK:wlj:jf
SECTION 2

✓ # Page 3, line 12 after that line insert

!!!
B 7m

4 **SECTION 3. Initial applicability.**

5 (1) This act first applies with respect to the 2006 spring primary election.

6 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

a 0 209/1
LRB-1261/1dn
JTK:wlj:jf

February 10, 2005

§ 10 This draft requires all regularly scheduled elections to be held during a 3-day period. It does not affect special elections. SP

Representative

Colon

§ 20 Some portions of this draft treat statutory text that initially applies with respect to the 2006 spring primary election. To simplify the draft and avoid double treatment of these portions, I have made the entire draft initially applicable with respect to the 2006 spring primary election. Please let me know if you would like to see this matter treated differently.

neither of these matters

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0209/1dn
JTK:wj:pg

February 21, 2005

Representative Colon:

1. This draft requires all regularly scheduled elections to be held during a three-day period. It does not affect special elections.
2. Some portions of this draft treat statutory text that initially applies with respect to the 2006 spring primary election. To simplify the draft and avoid double treatment of these portions, I have made the entire draft initially applicable with respect to the 2006 spring primary election.

Please let me know if you would like to see either of these matters treated differently.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778